

FINANCE (REGULATIONS) DEPARTMENT

The 22nd June, 1982

No. 1/APP-17/1/82-A O(FD).—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules further to amend the Punjab Civil Services Rules, Volume I, Part II, in their application to the State of Haryana, namely :—

1. These rules may be called the Punjab Civil Services, Volume I, Part II, (Haryana Third Amendment) Rules, 1982.
2. In the Punjab Civil Services Rules, Volume I, Part II, in Appendix 17,—
 - (a) under the head "casual leave", in rule 1, in sub-rule (4), in note 2,—
 - (1) in clause (a) for words "average pay" or "Earned leave" as the case may be, the words "full pay" shall be substituted; and
 - (2) clause (c) shall be omitted;
 - (b) under the head "Quarantine Leave" for rule 2, the following rule shall be substituted; namely :—
- "2. The competent authority under paragraph I above may grant "Quarantine Leave" to all press employees governed by the Rules in Section III of Chapter VIII, in the Printing and Stationery Department, Haryana." ;
- (c) in Annexure 17,—
 - (1) serial numbers 14, 43, 48, 55, 56, 60, 62, 65, 71, 73, 75, 76 and 77 and entries thereagainst shall be omitted,
 - (2) for serial numbers 1, 2, 13, 15, 16, 18, 19, 20, 21, 38, 39, 40, 41, 42, 44, 47, 61, 63, 64, 69, and 70 and entries thereagainst the following serial numbers and entries thereagainst shall be substituted, namely :—

Serial No.	Authority empowered to grant casual leave	To whom	Extent
1	2	3	4
"1.	(i) Commissioners of Divisions	(i) All Gazetted Government employees serving under them	Full powers under the rules
	(ii) Superintendent Commissioner's Office	(ii) All Class III and IV Government employees serving under them	Upto 4 days at a time
2.	(i) Director of Paachayats	(i) All Gazetted officers including superintendent Head Assistant, working at Head quarters	Full powers under the rules
	(ii) Joint Director Panchayats (Administration)	(ii) All Class III and Class IV Government employees working at Headquarters	Full powers under the rules

1	2	3	4
13.	Director of Health Services Haryana	(i) Officers of Haryana Civil Medical Service not being the officers holding independent charge of district	Full powers under the rules
15.	(i) Principal Medical College Rohtak	Medical officers and all other Gazetted officers working under them	Full powers under the rules
	(ii) Medical Superintendent Medical College Rohtak		Full powers under the rules
16.	Superintendent Mental Hospital Rohtak	Assistant Medical Officer serving under him	Full powers under the rules
18.	Inspector General of Prisons/Additional Inspector General of Prisons Haryana	(1) Superintendents of Jails	Full powers under the rules
		(2) Deputy Superintendent of Jails/District Probation Officers	Full powers under the rules
		(3) Gazetted Officers working at the Head Office	Full powers under the rules
19.	Accounts Officer or any other officer deputed by the Inspector General of Prisons	Non-Gazetted Staff working at the Head Office	Full powers under the rules
20.	District Probation Officer	Non-Gazetted staff serving under him	Full powers under the rules
21.	Superintendents of Jails	Non-Gazetted Staff serving under them	Full powers under the rules
38.	Inspectors, Inspectors Audit, Senior Auditors Cooperative Societies.	Staff directly working under them	Upto 4 days at a time
39.	Additional/Deputy and Assistant Registrars, Co-operative Societies Audit Officers at Head quarters, Statistical Officer and Establishment Officer	All Class III and IV employees working under them	Full powers under the rules
40.	Principal, Co-operative Training Institute	Staff working in the institute	Full powers under the rules
41.	Deputy Registrars, Co-operative Societies; (Field).	Assistant Registrars Co-operative Societies working in their jurisdiction	Upto 10 days at a time subject to the control of Registrar, Co-operative Societies

1	2	3	4
41A.	Additional Registrar Co-operative Societies (Headquarters)	Assistant Registrars, Co-operative Societies	Full powers under the rules subject to control of Registrar, Co- operative Societies
42.	Chief Auditor Cooperative Societies	1. Audit Officers Co- operative Societies	Full powers under the rules subject to control of Registrar, Cooperative Societies
		2. Staff working under the Chief Auditor, Cooperative Societies at Headquarters	Full powers under the rules
44.	District Education Officers	Sub-Divisional Education Officers	Full powers under the rules with the concurrence of Deputy Commissioner
47.	(i) Director Animal Husbandry, Haryana	Joint Directors, Chief Superintend- ents, Government Live-stock Farm Hissar/Project Director, Indo Australian Cattle Breeding Project Hissar.	Full powers under the rules
	(ii) Joint Director	All Class I and II officers of the Headquarters, All Class I officers working in the field except Hissar Farm/Indo Australian Cattle Breeding Project Hissar District Animal Husbandry Officers I/C Narnaul, Hissar Sonapat, Rohtak and ADKV Scheme, Rohtak	Ditto
	(iii) Chief Superintendent Government Live-stock Farm Hissar and Project Director, Indo Australian Cattle Breeding Project, Hissar	All Class I, II, III and IV employees working in that Project/Farm	Full powers under the rules
	(iv) Deputy Directors	All Class II, Class III and IV employees working under their control	Full powers under the rules
	(v) District Animal Husbandry Officer Allied Posts	All veterinary Assistant Surgeon and Class III and IV employees	Ditto

1	2	3	4
61.	Additional General Assistant to Deputy Commissioner	All Gazetted and non-Gazetted staff of the Panchayat Department working at District Headquarters	Full powers under the rules
63.	Block Development and Panchayats Officer	Social Education and Panchayat Officer, all class III and IV staff of the Panchayat Department at Block level	Full powers under the rules
64.	Controller of stores, Haryana Chandigarh	Gazetted Officers working under them	Full powers under the rules
69.	Labour Commissioner Haryana/Chief Inspector of Factories, Haryana Haryana	All Class I, II, III and IV employees working under his control	
70.	Certifying Surgeoner/Haryana/Deputy Labour Commissioner/Senior Inspector of Factories/Labour cum conciliation officers/Lady Welfare Officer/Inspector of Factories	Class III and IV employees working under their control	Full powers under the rules."

T. K. BANERJI,

Commissioner & Secretary to Government
Haryana, Finance Department

LABOUR DEPARTMENT

The 3rd May, 1982

No. 9(1)82-6Lab/4046.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s the Sonapat Co-operative Sugar Mills Ltd., Sonapat.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 339 of 1978

between

SHRI BANWARI LAL, WORKMAN AND THE MANAGEMENT OF M/S THE SONEPAT
COOP. SUGAR MILLS LTD., SONEPAT.

Present.—

Shri S. N. Solanki, for the workman.

Shri Vishnu Datt, for the management.

AWARD

This reference has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/SPT/124-78/55625, dated 14th December, 1978 under section 10 (i) (c) of the I. D. Act for adjudication of the dispute existing between Shri Banwari Lal, workman and the management of M/s The Sonapat Coop. Sugar Mills Ltd., Sonapat. The term of the reference was:—

Whether the termination of services of Shri Banwari Lal was justified and in order?
If not, to what relief is he entitled?

On the receipt of the order of reference notices as usual were sent to the parties. The parties put in the appearance in response to the same on 15th February, 1979 filed there respective pleadings, on the basis of which the following issues were framed:—

1. Whether the workman was found guilty of the irregularity committed by him as alleged in para Nos. 3 and 4 of the written statement and if so to what effect?
2. As per reference ?

The management examined Shri Surat Singh, Cane Development Officer and Shri Nafe Singh Yard Supervisor and Shri Rajinder Singh, cane clerk as their witnesses and closed their case. The workman examined himself as his only witness and closed his case. I heard the learned representatives of the parties and have also gone through the record. I decide the issues as under:—

Issue Nos. 1 and 2.—The brief facts of the case are that the workman was employed with the management as cane clerk on 12th November, 1976. He was suspended on 5th April, 1978 and a chargesheet was issued to the workman which is Ex. M-1. The workman gave his explanation to the charge-sheet,—*vide* Ex. M-2. The explanation to the chargesheet was not found satisfactory. The General Assistant submitted his report to the General manager,—*vide* Ex. M-4 and the General manager made a noting on the same for dispensing with the services of the workman at point 'X'. Ex. M-5. is the termination order. From the statements of the management witnesses it has not been established that irregularities for which the workman has been charged were specifically committed by him. MW-1 Shri Surat Singh could not give any satisfactory answer to the questions relating to the centre and the persons in respect of whom the irregularities have been alleged to have been committed for want of personal knowledge and he has specifically denied to have received any complaint from any cane grower against the workman. He also was not aware whether any enquiry was constituted against the workman. MW-2 has admitted in his cross-examination that there was strike by the cane growers at the relevant time and it was the direction from the management to issue as many purchasees as could be issued and also to adopt double bonding system in order to secure availability of sugarcane in larger quantity. The slips Exhibit MW-2/1 and Exhibit MW-2/2 were issued during that period. On the offer form. Shri Mohinder son of Ram Sarup does not bear the initial of the workman. The cane manager has ordered for the increase of quantity in the offer bond of Shri Mohinder son of Ram Sarup. Likewise the calendering register containing entry of Shri Khacheru son of Jia Ram has been signed by Shri Ram Singh, Bond clerk and not by Shri Banwari Lal workman. He has also given out in his cross-examination that behaviour of the workman with the cane growers was good and there was not complaint against him.

MW-3 was also given out in his cross-examination that there was strike of the cane growers and the mill required more and more sugar cane and the management was trying to get sugar cane at any cost by any means. On the offer form of Shri Mohinder, son of Ram Sarup there were orders of the Cane Manager for increase of the quantity of cane.

It is evident from the statements that the responsibility for the irregularities for which the workman has been charged cannot be fixed on him as during the strike period the record had gone to different officials and it was the policy of the management to get a larger supply of the cane for the mills. and for that purpose double bonding system as alleged issuing of purchasees in greater number was practised. The charges levelled by the management has not been proved. The charge of misbehaviour with the cane growers or with the supervisory staff has also not been established and the management led no evidence on this charge rather the management witnesses have stated that there was no complaint of misbehaviour from any quarter against the workman and it has been admitted that his behaviour was quite good with the public. It has also been established that no enquiry officer was appointed and in fact no enquiry was held. The termination order has been passed arbitrarily without affording any opportunity to the workman of being heard which is against the principles of

natural justice. The termination is neither justified nor in order. The workman is entitled to rein statement with continuity of service and with full back wages. No order as to costs. The reference is answered and returned accordingly.

BANWARI LAL DALAL,

Dated, the 9th April, 1982.

Presiding Officer,
Labour Court, Haryana, Rohtak.

Endst. No. 982, dated the 15th April, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

H. L. GUGNANI,

Commissioner and Secretary to Government Haryana,
Labour Department.

FINANCE DEPARTMENT
DIRECTORATE OF LOTTERIES

CHANDIGARH

The 26th June, 1982

No. DOL/SOS/82/13737-A.—The 112th draw of Haryana Janta Lottery, held at Chandigarh on 26th June, 1982 was conducted in the presence of the following Judges :—

1. Mrs. S. Duggal,
w/o Shri J. K. Duggal I.A.S.,
82 Sector 19-A, Chandigarh.
2. Mrs. Usha Puri,
w/o Mr. S. N. Puri,
1159 Sector 15, Chandigarh.
3. Mrs. K. G. Verma,
509 Sector 16-D, Chandigarh.
4. Mrs. Sunita Monga,
907 Sector 7-B, Chandigarh.
5. Mrs. Seetha Pallay IAS
Senior DAG
O/o Accountant General Haryana,
Chandigarh.

GIAN CHAND, I.A.S.,

Director of Lotteries and
Joint Secretary to Government, Haryana,
Finance Department, Chandigarh.